

REMARKS

I.

In the Office Action claims 1-7 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-7 of copending Application No. 10/572,626 and claims 1-11 of copending application No. 10/572,625. The Office Action maintained that although the conflicting claims are not identical, they are not patentably distinct from each other because the references teach the use of structurally similar compounds for the manufacture of hydrofluorocarbons. The Office Action further maintained that nothing unobvious is seen in substituting hydrogen for fluorine atoms or vice versa; and that the claimed process would have been obvious to the skilled artisan because the process for preparing the close structural similarity of the reference compounds suggests the process for preparing the instant compounds.

Applicants note that current Claim 1 of application No. 10/572,626 and current Claim 1 of application No. 10/572, 625, respectively, both require in (a) reaction of inter alia chlorine (or Cl₂) and recite production in (a) of a product comprising certain saturated compounds that are fully halogenated (i.e., no hydrogen is included in the recited product components). Applicants note that in contrast to this, current Claim 1 of the present application does not require in (a) chlorine as a reactant, and recites production in (a) of a saturated compound that contains hydrogen (along with an unsaturated compound that does not contain hydrogen). Applicants submit that (a) of the process currently claimed in Claim 1 of the present application clearly represents a different chemistry from the chemistry addressed by (a) in either of the processes currently claimed in Claim 1 of application No. 10/572,626 and application No. 10/572, 625; and that accordingly at least for this reason, claims 1-7 of the present application clearly are not anticipated by and clearly are not merely an obvious variation of either claims 1-7 of application No. 10/572,626 or claims 1-11 of application No. 10/572, 625.

In any event, if for some reason a nonstatutory double patenting rejection continues to be maintained in connection with the claims of application No. 10/572,626 and/or the claims of application No. 10/572, 625, then Applicants request that withdrawal of the provisional rejection for at least one of the three applications be considered, and that any application for which the rejection is withdrawn be permitted to issue (see MPEP 804 I. B. 1.).

II.

The specification is being amended to insert priority information and to provide the international application number for a document referenced in the application. The international application number referenced in the application relates to a document corresponding to US Application No. 10/572,628.

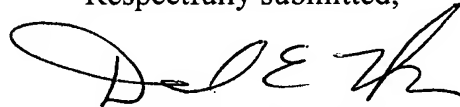
III.

The Office Action required an abstract on a separate sheet.

An abstract page is enclosed herewith.

In view of the foregoing, allowance of the above-referenced application is respectfully requested.

Respectfully submitted,



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